

IN THE DRAWINGS:

A proposed change to Fig. 1 is submitted herewith, with a
Letter to the Official Draftsman.

REMARKS

Reconsideration and allowance are respectfully requested in light of the above amendments and the following remarks.

A copy of the Declaration for Patent Application filed March 29, 2001 is attached. The clause noted in Section 3 of the office action appears at the top of the sheet containing the inventors' signatures. Accordingly, the requirement for a new Declaration is overcome.

Applicants acknowledge with appreciation the indication in the Office Action that claims 4-15 and 21-23 are allowable.

A proposed change to Fig. 1 is submitted herewith to overcome the objections thereto.

The specification has been amended as requested in the Office Action.

Claims 1-23 have been canceled in favor of new claims 24-46, which better define the subject matter Applicants regard as the invention. Support for the features recited in claims 24-46 is provided in original claims 1-23, respectively. Claims 24-46 have been drafted to avoid the issues underlying the objections to claims 2 and 19 and the indefiniteness rejections applied to claims 1-23. Therefore, claims 27-38 and 44-46 are believed to be in condition for allowance.

Claims 1 and 16-20 were rejected, under 35 USC §102(e), as being anticipated by Basu et al. (US 6,097,733). Claims 2 and 3 were rejected, under 35 USC §103(a), as being unpatentable over Basu in view of Hung et al. (US 6,353,618). To the extent these rejections may be deemed applicable to corresponding new claims 24-26 and 39-43, the Applicants respectfully traverse.

New claim 24 corresponds to original claim 1 and recites:

*A wireless communication apparatus comprising:
a monitor that monitors, in each frame, the number
of transmission queuing cells that uplink storages and
downlink storages of a plurality of communication users
each store; and
an allocator that allocates, in each frame, unit
sub-slots to the transmission queuing cells according
to the number of transmission queuing cells in each
storage.*

Basu fails to disclose the features recited in claim 24 of:

(1) monitoring the number of transmission queuing cells that uplink and downlink storages of a plurality of communication users each store and (2) allocating unit sub-slots to the transmission queuing cells according to the number of transmission queuing cells in each storage.

With regard to claim 1, the Office Action proposes that Basu discloses a bandwidth allocator that monitors the data flow of each mobile terminal (Office Action section 13, lines 1-7). However, monitoring the data flow of a mobile terminal is not

identical to monitoring the number of transmission queuing cells stored by uplink and downlink storages of a mobile terminal, as now recited in claim 24.

Additionally, the Office Action proposes that Basu discloses allocating TDMA time slots based on the bandwidth requirement for each mobile terminal's active service (page 5, lines 4-9). However, this feature is not identical to allocating unit sub-slots to transmission queuing cells according to the number of stored transmission queuing cells, as now recited in claim 24.

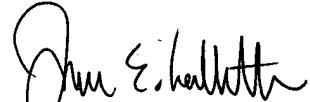
Accordingly, Applicants submit that Basu does not anticipate the subject matter of claim 24. Independent claims 39, 40, and 42 similarly recite the features distinguishing apparatus claim 24 from Basu, though claim 42 does so with respect to a method. For similar reasons that these features distinguish claim 24 from Basu, so too do they distinguish claims 39, 40, and 42. Therefore, allowance of claims 24, 39, 40, and 42 and all claims dependent therefrom is warranted.

In view of the above, it is submitted that this application is in condition for allowance and a notice to that effect is respectfully solicited.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone

the undersigned at the local Washington, D.C. telephone number listed below.

Respectfully submitted,



James E. Ledbetter
Registration No. 28,732

Date: February 9, 2005
JEL/DWW/att

Attorney Docket No. L9289.01113PCT
STEVENS DAVIS, MILLER & MOSHER, L.L.P.
1615 L Street, N.W., Suite 850
P.O. Box 34387
Washington, D.C. 20043-4387
Telephone: (202) 785-0100
Facsimile: (202) 408-5200

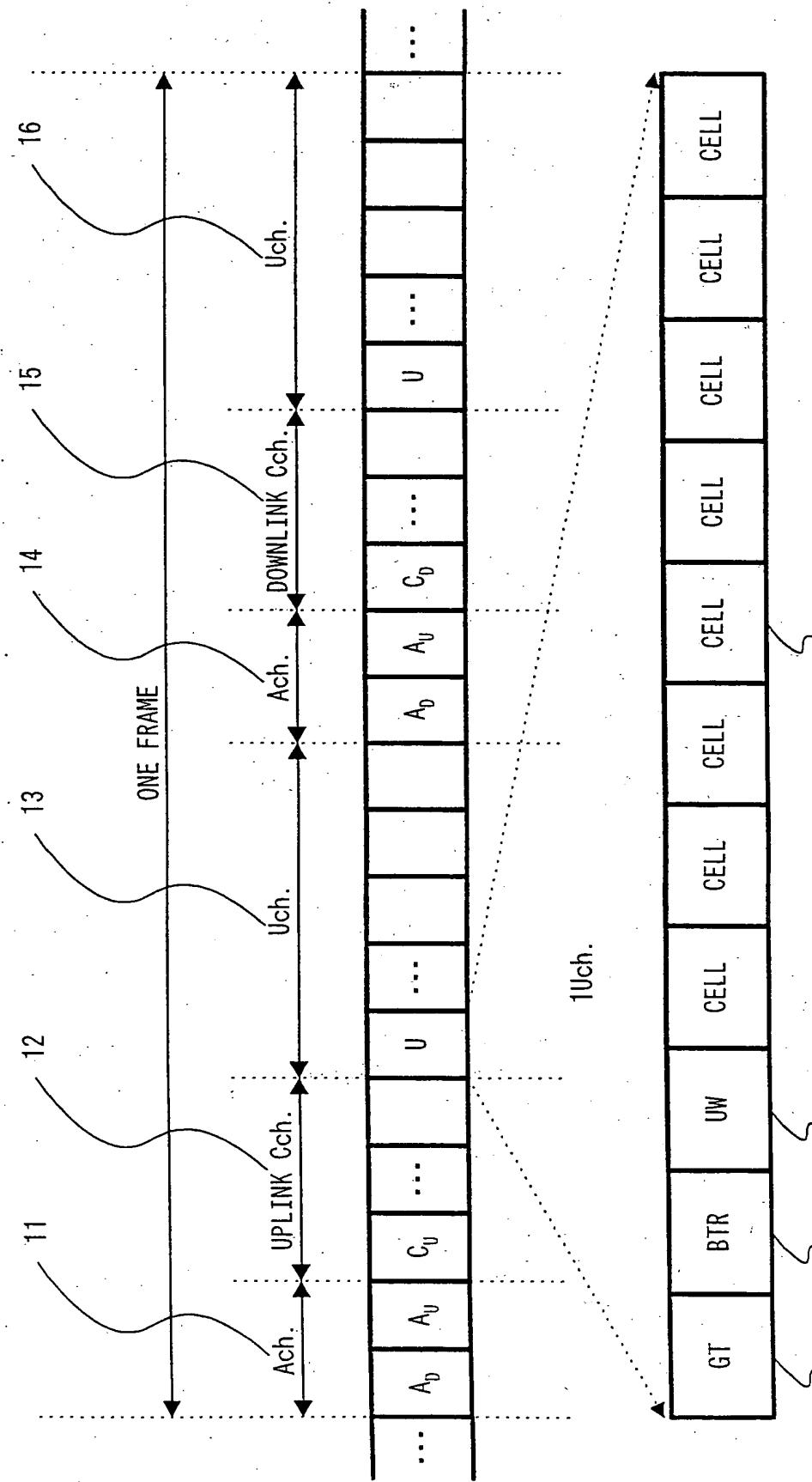
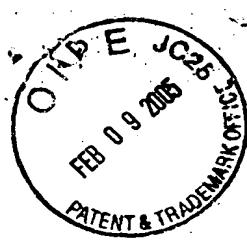


FIG. 1

RELATED ART